IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.765 OF 2005

Uttam Bhimrao Mane & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.V.V.Purwant for Applicants.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 21, 2005.

P.C.

1. Inspite of direction given in order dated 17th February 2005, the Investigating Officer is not personally present in Court. Learned A.P.P. states that he has deputed Mr.Manohar Chavan, A.S.I., who in turn, informs that the concerned Investigating Officer is busy in investigation of a serious offence punishable under Section 307 of the Indian Penal Code, being C.R.No.8 of 2005, which however, has occurred on 16th February 2005. The explanation offered is to say the least,

ill-advised. The same is not acceptable.

2. The Investigating Officer shall personally remain present along with relevant records in Court and offer explanation for his non-appearance on 10th, 15th and 17th February 2005 as well as today, on affidavit, tomorrow i.e. 22nd February 2005.

3. Post on 22nd February 2005, to be included in the supplementary list.

A.M.KHANWILKAR, J.